



REGISTRAR OF REGULATIONS

COMMONWEALTH of VIRGINIA 08 APR 21 PM 12:57

**Department of Health
DIVISION OF SHELLFISH SANITATION**

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Richmond, VA 23219

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**NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION
NUMBER 097-219, FINNEY CREEK**

EFFECTIVE 30 APRIL 2008

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Condemnation Number 097-219, Finney Creek," effective 2 March 2006 is cancelled effective 30 April 2008.
2. Condemned Shellfish Area Number 097-219, shown as Sections A and B, is established effective 30 April 2008. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Finney Creek, Condemned Shellfish Area Number 097-219, 30 April 2008" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 097-219, shown as Sections M1 and M2, is hereby established, effective 30 April 2008, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from these areas during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Finney Creek, Condemned Shellfish Area Number 097-219, 30 April 2008" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 097-219

- A. The condemned area shall include that portion of Finney Creek upstream of a line drawn from latitude / longitude map coordinate (37°37'26.9", -75°40'36.6") to map coordinate (37°37'25.9", -75°40'41.3").
- B. The condemned area shall include that portion of Finney Creek north of a line drawn from latitude / longitude map coordinate (37°36'11.7", -75°41'14.0") to map coordinate (37°36'11.0", -75°41'10.8"), and south of a line drawn from map coordinate (37°36'22.6", -75°41'13.4") to map coordinate (37°36'22.2", -75°41'11.2").

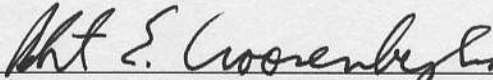


Protecting You and Your Environment


www.vdh.virginia.gov/shellfish

- M1. The seasonally condemned area shall that portion of Finney Creek north of a line drawn from latitude / longitude map coordinate (37°36'22.6", -75°41'13.4") to map coordinate (37°36'22.2", -75°41'11.2"), and south of a line drawn from map coordinate (37°36'34.0", -75°40'54.7") to map coordinate (37°36'32.4", -75°40'52.5").
- M2. The seasonally condemned area shall include all of that portion of Finney Creek south of a line drawn from latitude / longitude map coordinate (37°36'11.7", -75°41'14.0") to map coordinate (37°36'11.0", -75°41'10.8"), and north of a line drawn from map coordinate (37°35'51.0", -75°41'15.0") to map coordinate (37°35'52.4", -75°41'04.6"), and inland of a third line drawn across the Wachapreague Channel between map coordinate (37°35'57.5", -75°40'49.4") and map coordinate (37°35'54.0", -75°40'49.7").

Recommended by:

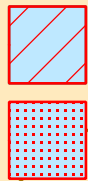

Director, Division of Shellfish Sanitation

Ordered by:

 4/16/08
State Health Commissioner Date

**Virginia Department of Health
Finney Creek
Condemned Shellfish Area 097-219
30 April 2008**

0 1,000 2,000 4,000
Feet



Condemned Shellfish Areas
(Sections A & B)

Seasonally Condemned Shellfish Areas
(Sections M1 & M2)

Accomack County

Nikawampus Rd

Section
A

Nickawampus Cr
14-07-16

(37°37'26.9", -75°40'36.6")

(37°37'25.9", -75°40'41.3")

Finney Creek
14-05-10

Burtons Bay
14-05-07

Bunting Point Rd

Shields Ln

Drummondtown Rd

Willis St
Town of
Wachapreague

Section
M1

(37°36'34.0", -75°40'54.7")

(37°36'32.4", -75°40'52.5")

Wachapreague
Channel
14-07-15

(37°36'22.6", -75°41'13.4")

(37°36'22.2", -75°41'11.2")

Section
B

(37°36'11.7", -75°41'14.0")

(37°36'11.0", -75°41'10.8")

Main St

Section
M2

(37°35'57.5", -75°40'49.4")

(37°35'54.0", -75°40'49.7")

Marlin Ln

(37°35'51.0", -75°41'15.0")

(37°35'52.4", -75°41'04.6")

Bradford Bay
14-05-05